

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: FY21-HACEP-Nuestra-Senora-405-415-Montana-79902

HEROS Number: 900000010183309

Responsible Entity (RE): EL PASO, City 1 - 300 N. Campbell El Paso TX, 79901

RE Preparer: Jo Ann Vera

State / Local Identifier:

Certifying Officer: Elda Rodriguez-Hefner

Grant Recipient (if different than Responsible Entity): Housing Authority of the City of El Paso

Point of Contact: Tom Deloye

Consultant (if applicable):

Point of Contact:

Project Location: 405-415 Montana Ave, El Paso, TX 79902

Additional Location Information:

405-415 Montana Ave. - vacant lots 400 E. Rio Grande Ave. - vacant lot 416 E. Rio Grande Ave. - rehab of parking pad lot 910 + 916 N. Kansas St. - demolish existing condemned buildings

Direct Comments to:

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Demolition and New Construction of Multi-Family Low Income Housing - The Housing Authority of the City of El Paso (HACEP) completed its acquisition of the Nuestra Senora property in early 2020. The full block property, currently owned by HACEP, is bounded by Kanas Street, Montana Avenue, Rio Grande, and Campbell Ave. The Nuestra Senora Apartments property is planned to be developed in two (2) phases. Phase 1 will include development of a new construction 9% LIHTC multi-family residential property consisting of 80 units (20 One-Bedroom units and 60 Two-Bedroom units). Included in the development of Phase 1, but excluded from the 9% LIHTC project is the rehabilitation of the three-level parking structure located at 416 E. Rio Grande Ave. The planned development will include 25 ACC units and 55 Project Based Vouchers (PBV).

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The Nuestra Senora development will create 80 beautiful, new, affordable apartment units, serving residents at 30%, 50% and 60% AMI, using project based voucher (PBV), in an area of El Paso that is experiencing revitalization due to its proximity to downtown, the medical center area, and entertainment venues like the new baseball stadium, museums and cultural centers. Downtown El Paso has also experienced a revitalization over the last 5 years with over \$300 million of new investment in the area, resulting in more jobs downtown, which in turn means more opportunity for residents of Nuestra Senora. The Nuestra Senora location is within the Mesa Street public transportation corridor, which is an area City leaders and staff have expressed a desire for additional housing. The City recently spent over \$90 million developing a trolley in the area and spent over \$23 million to expand its bus transit line along the Mesa corridor. Ridership is imperative to public transportation's success. The transportation corridor is a benefit to Nuestra Senora's future residents because they rely heavily on public transportation to commute to jobs.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The subject property is currently in a state of disrepair and a blight to the neighborhood. Without redevelopment, the property will continue to deteriorate. The existing buildings have been broken into by vagrants, posing a threat to the area. One building caught fire. It is believed a homeless person was occupying it and lit a fire in order to keep warm. The surrounding area is currently undergoing a revitalization due to its proximity to downtown, entertainment venues, museums, libraries, universities, community colleges, and medical facilities. It is located in a mixed use area and the proposed development is compatible with the surrounding neighborhood.

Maps, photographs, and other documentation of project location and description:

- [Google Maps Aerial Map.pdf](#)
- [Google Maps 416 E Rio Grande Ave 79902 Parking Lot.pdf](#)
- [Google Maps 405 to 415 Montana Ave 79902.pdf](#)
- [Google Maps 400 to 416 E Rio Grande Ave 79902.pdf](#)
- [EPCAD 916 N Kansas St 79902.pdf](#)
- [EPCAD 910 N Kansas St 79902.pdf](#)
- [EPCAD 416 E Rio Grande Ave 79902.pdf](#)
- [FIELD CONTAMINATION CHECKLIST Nuestra Senora.pdf](#)
- [Phase I Topographic Maps.pdf](#)
- [Phase I Site Summary and History.pdf](#)
- [Phase I Photo Gallery.pdf](#)
- [Phase I Location Maps.pdf](#)
- [Phase I Aerial Photo Maps.pdf](#)
- [Photos Nuestra Senora.pdf](#)

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
N/A	Public Housing	Other Public Housing Program
N/A	Public Housing	Project-Based Voucher Program

Estimated Total HUD Funded, Assisted or Insured Amount: \$5,249,640.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$12,325,000.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. See Attachment 1, project site is not within a Civilian or Military runway zone. Property site is approximately 34,612 ft. from El Paso International Airport runway zone.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. No Coastal Barriers in El Paso, Texas. Compliance based on location and CBMA, See Attachment 2.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. See Attachment 3: FIRM 480214, PANEL 0039B, DATE 10/15/1982, ZONE C. Property site is not located in a flood zone.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		

<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. No Coastal Zones in El Paso, Texas. Compliance based on location and CZMA. See Attachment 5.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. Field Contamination Checklist and photos located at Inspector Information Section of ERR. Phase I and II located at 4010 Section of ERR. See Attachment 6 NEPAssist resource materials for toxics and contaminants within one (1) mile of project location. Air Pollution: Angelus Cleaners ECHO Report attached with "No Violations Indicated". Hazardous Waste, 12 sites: Angelus Cleaners, Daytona Body + Paint, Wallis Cleaners (Former), Hilton Camino Real, Orthopaedic Surgeons and Transportes Nava ECHO Reports attached with "No Violations Indicated"; Bortec Inc., Bravo Manufacturing, City of El Paso Sun Metro, CVS Pharmacy #10105, El Paso Times and General Tire Service EPA</p>

		<p>Reports attached with "No Record Data Available". Water Dischargers, 3 sites: City of El Paso Sun Metro, Texas Department of Transportation and Nuestra Senora ECHO Reports attached with "No Record Data Available". Brownfields, 4 sites: 420 N. Campbell St., 600 N. El Paso St., 1715 + 1717 N. Stanton and City Baseball Training Facility Property Progress Reports attached. As indicated Former Wallis Cleaners petroleum tank was removed from Ground (01/30/2003), reports and documentation attached. REC's findings in Phase I have been reported The analytical results indicate soil levels for Perchloroethylene (Tetrachloroethylene), Total Petroleum Hydrocarbons (TPH) and Benzene, Toluene, Ethylbenzene, and Xylenes (BTEX) below the Residential Texas Risk Reduction Program (TRRP) Protective Concentration Levels (PCL's) reports included in Phase II. No further mitigations steps required.</p>
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. The project activities will consist of demolition, new construction and rehabilitation of multi-family residence. Photos located at Inspector Information section of ER. The project scope of work will have no effect due to nature of project activities.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. No oil, gas or chemical pipelines, processing facilities, storage facilities or other</p>

		potentially hazardous explosive activities on-site or in the general area of the site that could potentially adversely impact the subject property.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The proposed project will be limited to demolition, new construction and rehabilitation and will not convert any undeveloped land. Therefore, complies with the Farmlands Protection Policy Act. See Attachment 9.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. See Attachment 10: FIRM 480214, PANEL 0039B, DATE 10/15/1982, ZONE C. Property site is not located in a floodplain.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. See Attachment 11 and response from SHPO/THC for: Above-Ground Resources* No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Archeology Comments* No identified historic properties, archeological sites, or other cultural resources are present or affected. However, if cultural materials are encountered during project activities, work should cease in the immediate

		area; work can continue where no cultural materials are present.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A Noise Assessment was conducted. The noise level was normally unacceptable: 72 db DNL. See noise analysis, STraCAT has been conducted and has with construction materials mitigation has reduced the DNL to 62dB. The project is in compliance with HUD's Noise regulation with mitigation in the form of construction materials used. The Noise Source Sound Level (dB) is 72. The project is required to meet a minimum of 65 (dB) at all interior side of apartments. The required Sound Transmission Class (STC) rating for wall assemblies per the STraCAT is 30.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The City of El Paso does not contain any EPA-designated sole source aquifers. See Attachment 13.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. Compliance based on Scope of Work activities. Compliance with EO11990, Wetlands Protection Act. See Attachment 14.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. El Paso, Texas has no designated wild and scenic rivers on the National Rivers Inventory. See Attachment 15.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	Development will create 80 beautiful, new, affordable apartment units, serving residents at 30%, 50% and 60% AMI	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	The natural drainage class is well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches (or restricted depth) is very low. Shrink-swell potential is low. This soil is not flooded. It is not ponded.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	3	Based on a review of NEPAAssist resource materials: subject property is located outside the Airport Noise Contour; 3,757 ft. railroad crossings and not within 1,000 ft. of a direct major roadway.	STraCAT has been conducted and with construction materials mitigation has reduced the DNL to 62dB. The project is in compliance with HUD's Noise regulation with mitigation. The Noise Source Sound Level (dB) is 72. The project is required to meet a minimum of 65 (dB) at all

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
			interior side of apartments. The required Sound Transmission Class (STC) rating for wall assemblies per the STraCAT is 30.
Energy Consumption/Energy Efficiency	1	Implementation of energy conservation materials in the construction of multi-family housing.	
SOCIOECONOMIC			
Employment and Income Patterns	2	This development is public housing for very-low to low income households.	
Demographic Character Changes / Displacement	1	The property has been re-zoned	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	1	Educational and Cultural Facilities have been identified in the vicinity of the proposed project site.	
Commercial Facilities (Access and Proximity)	1	Commercial Facilities are located in the vicinity of the proposed project site.	
Health Care / Social Services (Access and Capacity)	1	Health care is located in the vicinity of the proposed project site.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The City of El Paso Environmental Services department provides commercial garbage, recycling collection and disposal services for the project site.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	El Paso Water Utilities provides services for project site.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Water Supply (Feasibility and Capacity)	2	El Paso Water Utilities provides services for project site.	
Public Safety - Police, Fire and Emergency Medical	2	Police, fire and medical services are available within proximity to property site.	
Parks, Open Space and Recreation (Access and Capacity)	1	Parks and Recreation Center are available within close proximity to property site.	
Transportation and Accessibility (Access and Capacity)	1	The City recently spent over \$90 million developing a trolley in the area and spent over \$23 million to expand its bus transit line along the Mesa corridor. Ridership is imperative to public transportation's success. The transportation corridor is a benefit to Nuestra Senora's future residents because they rely heavily on public transportation to commute to jobs.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	Not Applicable	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	Not Applicable	
Other Factors			

Supporting documentation

- [Nuestra Senora STraCAT Assessment\(1\).pdf](#)
- [Franklin Development\(1\).pdf](#)
- [Nuestra Senora Phase I ESA.pdf](#)
- [Phase II 405 415 Montana 400 416 Rio Grande.pdf](#)
- [20190 Phase I ESA findings Nuestra Senora.pdf](#)
- [Phase I ESA Soil Description Section.pdf](#)

Additional Studies Performed:

STraCAT provided by In*srtu Architecture for the Noise Attenuation mitigation.

Field Inspection [Optional]: Date and completed

by:

Jo Ann Vera

3/26/2021 12:00:00 AM

[FIELD CONTAMINATION CHECKLIST Nuestra Senora.pdf](#)

[Phase I Topographic Maps.pdf](#)

[Phase I Site Summary and History.pdf](#)

[Phase I Photo Gallery.pdf](#)

[Phase I Location Maps.pdf](#)

[Phase I Aerial Photo Maps.pdf](#)

[Photos Nuestra Senora.pdf](#)

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

City of El Paso Planning Division for re-zoning requirement, Luiz Zamora Case Manager
City of El Paso Planning Division for Alley Vacation City Council approval May 25, 2021
Fish and Wildlife website NEPA website FEMA website NEPAssist wesite Phase
Engineering, Inc., 5524 Cornish Street, Houston, Texas 77007 - Phase I R+A
Consultants Corp., 3702 Buckner St. El Paso, TX 79925 - Phase II

List of Permits Obtained:

Re-Zoning Ordinance and Ally Vacation Resolution to be presented at City Council
May 25, 2021.

Public Outreach [24 CFR 58.43]:

Houston Park Neighborhood Association First Contact Emma Salazar
emmasalazareptx@gmail.com alpvald7@icloud.com; alvaropvaldez@icloud.com
Central El Paso Community Organization First Contact Cecilia Herrera
cecipherrera@aol.com

Cumulative Impact Analysis [24 CFR 58.32]:

No detrimental impact have been identified to result from construction of new low-income housing. The subject property is currently in a state of disrepair and a blight to the neighborhood. Without redevelopment, the property will continue to deteriorate. The existing buildings have been broken into by vagrants, posing a threat to the area.

One building caught fire. It is believed a homeless person was occupying it and lit a fire in order to keep warm. The surrounding area is currently undergoing a revitalization due to its proximity to downtown, entertainment venues, museums, libraries, universities, community colleges, and medical facilities .

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

The subject property is currently in a state of disrepair and a blight to the neighborhood. Without redevelopment, the property will continue to deteriorate. The existing buildings have been broken into by vagrants, posing a threat to the area. One building caught fire. It is believed a homeless person was occupying it and lit a fire in order to keep warm. The surrounding area is currently undergoing a revitalization due to its proximity to downtown, entertainment venues, museums, libraries, universities, community colleges, and medical facilities .

No Action Alternative [24 CFR 58.40(e)]

The surrounding area is currently undergoing a revitalization due to its proximity to downtown, entertainment venues, museums, libraries, universities, community colleges, and medical facilities. There are no action alternatives.

Summary of Findings and Conclusions:

The primary objectives of the proposed project is to provide low-income housing and revitalize a deteriorating area of central El Paso.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Contamination and Toxic Substances	Upon review, there were no toxic and/or hazardous substance found nearby property site. See Site Specific Field Contamination Checklist.	N/A	
Noise Abatement and Control	The DNL is currently 72dB (rounded up). This requires a minimum of 10dB of attenuation per the regulations you cited above. 10dB of mitigation will bring the DNL to 62dB. 62dB is the	N/A	

	<p>minimum DNL with mitigation. We will show with the STRACAT tool how construction material and windows will reduce the DNL to 62dB. The noise attenuation measures for the Nuestra Senora development, the following selections and materials will be implemented to the project to help address current decibel levels reading at 72db DNL. Based on the current 71.55 DNL (provided in the analysis by Phase Engineering, Inc.) a minimum STC rating of 6 is required for any component or assembly to meet the DNL difference to bring the decibels below 65 DNL, a Normal Acceptable level. The specifications for the following material selections:</p> <ul style="list-style-type: none"> * 1/2" insulated glass is STC 28 - minimum glazing also to meet energy code per other requirements in specifications. * Exterior doors - STC 25-33, steel-insulated, silicone seal (see attached), depending on manufacturer. * Vinyl windows - STC 28-32 , with 1/2" insulated glass (as above), depending on manufacturer and operation (single-hung, awning, or fixed) * Exterior Walls - STC 35 with 1/2" exterior sheathing + batt insulation + 1/2" gypsum board interior. 		
<p>Hazards and Nuisances including Site Safety and Site-Generated Noise</p>	<p>STraCAT has been conducted and with construction materials mitigation has reduced the DNL to 62dB. The project is in compliance with HUD's Noise regulation with mitigation. The Noise Source Sound Level (dB) is 72. The project is required to meet a minimum of 65 (dB) at all interior side of apartments. The required Sound Transmission Class (STC) rating for wall assemblies per the STraCAT is 30.</p>	<p>N/A</p>	

Mitigation Plan

Contamination + Toxics: additional mitigation not required. Permits attached reflecting removal of underground tank and Phase II results in low levels of RCA's. Noise Abatement + Control and Hazards Nuisances Noise: STraCAT has been conducted and with construction materials mitigation has reduced the DNL to 62dB. The project is in compliance with HUD's Noise regulation with mitigation.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. See Attachment 1, project site is not within a Civilian or Military runway zone. Property site is approximately 34,612 ft. from El Paso International Airport runway zone.

Supporting documentation

[Attachment 1 Airport Hazard Nuestra Senora 79902.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. No Coastal Barriers in El Paso, Texas. Compliance based on location and CBMA, See Attachment 2.

Supporting documentation

[Attachment 2 Coastal Barrier.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

2. Upload a FEMA/FIRM map showing the site here:

[Attachment 3 Flood Ins Nuestra Senora 79902.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

✓ No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary **Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. See Attachment 3: FIRM 480214, PANEL 0039B, DATE 10/15/1982, ZONE C. Property site is not located in a flood zone.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

No

Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

No, project's county or air quality management district is in attainment status for all criteria pollutants.

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Screen Summary

Compliance Determination

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

Supporting documentation

FY21-HACEP-Nuestra-
Senora-405-415-Montana-
79902

El Paso, TX

900000010183309

[Attachment 4 Air Quality Ozone.pdf](#)
[El Paso Current Attainment Air Quality Status.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. No Coastal Zones in El Paso, Texas. Compliance based on location and CZMA. See Attachment 5.

Supporting documentation

[Attachment 5 Coastal Zone.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
Remediation or clean-up plan
ASTM Vapor Encroachment Screening
None of the Above

2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

No

- Yes

3. Mitigation

Document and upload the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental effects cannot be mitigated, then HUD assistance may not be used for the project at this site.

Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated.

- ✓ Yes, adverse environmental impacts can be eliminated through mitigation.
Document and upload all mitigation requirements below.

4. Describe how compliance was achieved in the text box below. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls, or use of institutional controls.

Upon review, there were no toxic and/or hazardous substance found nearby property site. See Site Specific Field Contamination Checklist.

If a remediation plan or clean-up program was necessary, which standard does it follow?

- ✓ Complete removal

Risk-based corrective action (RBCA)

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. Field Contamination Checklist and photos located at Inspector Information Section of ERR. Phase I and II located at 4010 Section of ERR. See Attachment 6 NEPAAssist resource materials for toxics and contaminants within one (1) mile of project location. Air Pollution: Angelus Cleaners ECHO Report attached with "No Violations Indicated". Hazardous Waste, 12 sites: Angelus Cleaners, Daytona Body + Paint, Wallis Cleaners (Former), Hilton Camino Real, Orthopaedic Surgeons and Transportes Nava ECHO Reports attached with "No Violations Indicated"; Bortec Inc., Bravo Manufacturing, City of El Paso Sun Metro, CVS Pharmacy #10105, El Paso Times and General Tire Service EPA Reports attached with "No Record Data Available". Water Dischargers, 3 sites: City of El Paso Sun Metro, Texas

Department of Transportation and Nuestra Senora ECHO Reports attached with "No Record Data Available". Brownfields, 4 sites: 420 N. Campbell St., 600 N. El Paso St., 1715 + 1717 N. Stanton and City Baseball Training Facility Property Progress Reports attached. As indicated Former Wallis Cleaners petroleum tank was removed from Ground (01/30/2003), reports and documentation attached. REC's findings in Phase I have been reported The analytical results indicate soil levels for Perchloroethylene (Tetrachloroethylene), Total Petroleum Hydrocarbons (TPH) and Benzene, Toluene, Ethylbenzene, and Xylenes (BTEX) below the Residential Texas Risk Reduction Program (TRRP) Protective Concentration Levels (PCL's) reports included in Phase II. No further mitigations steps required.

Supporting documentation

[Wallis Cleaners Historical Toxics Documentation.pdf](#)
[EPA Report HW General Tire Service.pdf](#)
[EPA Report HW El Paso Times Inc.pdf](#)
[EPA Report HW CVS Pharmacy 10105.pdf](#)
[EPA Report HW City of El Paso Sun Metro.pdf](#)
[EPA Report HW Bravo Manufacturing.pdf](#)
[EPA Report HW Bortec Inc.pdf](#)
[EPA Facility Report City Baseball Training Facility.pdf](#)
[EPA Facility Report 1715 + 1717 N Stanton.pdf](#)
[EPA Facility Report 600 N El Paso.pdf](#)
[EPA Facility Report 420 N Campbell St.pdf](#)
[ECHO WD Nuestra Senora.pdf](#)
[ECHO Report WD Texas Dept of Transportation.pdf](#)
[ECHO Report WD City of El Paso Sun Metro.pdf](#)
[ECHO Report HW Transportes Nava.pdf](#)
[ECHO Report HW Orthopaedic Surgeons.pdf](#)
[ECHO Report HW Hilton Camino Real.pdf](#)
[ECHO Report HW Former Wallis Cleaners.pdf](#)
[ECHO Report HW Daytona Body + Paint.pdf](#)
[ECHO Report HW Angelus Cleaners.pdf](#)
[ECHO Report AP Angelus Cleaners.pdf](#)
[Attachment 6 Toxics.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

- ✓ No, the project will have No Effect due to the nature of the activities involved in the project.

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.

Based on the response, the review is in compliance with this section.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

Yes, the activities involved in the project have the potential to affect species and/or habitats.

Screen Summary

Compliance Determination

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. The project activities will consist of demolition, new construction and rehabilitation of

multi-family residence. Photos located at Inspector Information section of ER. The project scope of work will have no effect due to nature of project activities.

Supporting documentation

[Phase I ESA Endangered Species.pdf](#)
[iPAC Species List Austin Ecological Services File.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

Yes

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR

- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Yes

Screen Summary

Compliance Determination

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. No oil, gas or chemical pipelines, processing facilities, storage facilities or other potentially hazardous explosive activities on-site or in the general area of the site that could potentially adversely impact the subject property.

Supporting documentation

[Phase I ESA Explosive Flammables.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The proposed project will be limited to demolition, new construction and rehabilitation and will not convert any undeveloped land. Therefore, complies with the Farmlands Protection Policy Act. See Attachment 9.

Supporting documentation

[Attachment 9 Farmland.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

None of the above

2. Upload a FEMA/FIRM map showing the site here:

[Attachment 3 Flood Ins Nuestra Senora 79902.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. See Attachment 10: FIRM 480214, PANEL 0039B, DATE 10/15/1982, ZONE C. Property site is not located in a floodplain.

Supporting documentation

[Attachment 10 Floodplain Nuestra Senora 79902.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

✓ State Historic Preservation Offer (SHPO) Completed

✓ Advisory Council on Historic Preservation Not Required

✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

✓ Apache Tribe of Oklahoma Response Period Elapsed

- ✓ Comanche Nation of Oklahoma Response Period Elapsed
- ✓ Fort Sill Apache Tribe Response Period Elapsed
- ✓ Mescalero Apache Tribe of New Mexico Response Period Elapsed
- ✓ Tonkawa Tribe of Oklahoma Response Period Elapsed
- ✓ White Mountain Apache Tribe Completed
- ✓ Wichita and Affiliated Tribes Response Period Elapsed
- ✓ Ysleta Del Sur Pueblo Completed

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

Written request for consultation to SHPO/THC with corresponding documentation maps, pictures, scope of work and cost estimate sent via eTRAC, THC electronic tracking system.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Step 2 – Identify and Evaluate Historic Properties

1. **Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
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Additional Notes:

2. **Was a survey of historic buildings and/or archeological sites done as part of the**

project?

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

✓ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. See Attachment 11 and response from SHPO/THC for: Above-Ground Resources* No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic

properties are present. Archeology Comments* No identified historic properties, archeological sites, or other cultural resources are present or affected. However, if cultural materials are encountered during project activities, work should cease in the immediate area; work can continue where no cultural materials are present.

Supporting documentation

[TDAT response White Mountain Apache Tribe.pdf](#)

[TDAT response Ysleta Del Sur.pdf](#)

[Section 106 Submission 202107625.msg](#)

[Attachment 11 Historic Nuestra Senora 79902.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
None of the above

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

- ✓ Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Is your project in a largely undeveloped area?

- ✓ No

Indicate noise level here: 71.55

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Yes

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 71.55

Document and upload noise analysis, including noise level and data used to

complete the analysis below.

6. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.

✓ Mitigation as follows will be implemented:

The DNL is currently 72dB (rounded up). This requires a minimum of 10dB of attenuation per the regulations you cited above. 10dB of mitigation will bring the DNL to 62dB. 62dB is the minimum DNL with mitigation. We will show with the STRACAT tool how construction material and windows will reduce the DNL to 62dB. The noise attenuation measures for the Nuestra Senora development, the following selections and materials will be implemented to the project to help address current decibel levels reading at 72db DNL. Based on the current 71.55 DNL (provided in the analysis by Phase Engineering, Inc.) a minimum STC rating of 6 is required for any component or assembly to meet the DNL difference to bring the decibels below 65 DNL, a Normal Acceptable level. The specifications for the following material selections: * 1/2" insulated glass is STC 28 - minimum glazing also to meet energy code per other requirements in specifications. * Exterior doors - STC 25-33, steel- insulated, silicone seal (see attached), depending on manufacturer. * Vinyl windows - STC 28-32 , with 1/2" insulated glass (as above), depending on manufacturer and operation (single-hung, awning, or fixed) * Exterior Walls - STC 35 with 1/2" exterior sheathing + batt insulation + 1/2" gypsum board interior.

Based on the response, the review is in compliance with this section. Document and upload drawings, specifications, and other materials as needed to describe the project's noise mitigation measures below.

No mitigation is necessary.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was normally unacceptable: 72 db DNL. See noise analysis, STraCAT has been conducted and has with construction materials mitigation has reduced the DNL to 62dB. The project is in compliance with HUD's Noise regulation with mitigation in the form of construction materials used.

The Noise Source Sound Level (dB) is 72. The project is required to meet a minimum of 65 (dB) at all interior side of apartments. The required Sound Transmission Class (STC) rating for wall assemblies per the STraCAT is 30.

Supporting documentation

[Nuestra Senora STraCAT Assessment.pdf](#)

[RepublicDrsSTCratings.pdf](#)

[STC for glazing types.pdf](#)

[2525B_cutsheet.pdf](#)

[08_5313-Vinyl Windows.docx](#)

[08_1113-Hollow Metal Doors and Frames.docx](#)

[Franklin Development.pdf](#)

[Energy Conservation - Noise Attenuation measures.pdf](#)

[Noise Attenuation Maps and DNL Calculator.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The City of El Paso does not contain any EPA-designated sole source aquifers. See Attachment 13.

Supporting documentation

[Phase I ESA Aquifers.pdf](#)
[Attachment 13 Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. Compliance based on Scope of Work activities. Compliance with EO11990, Wetlands Protection Act. See Attachment 14.

Supporting documentation

[Attachment 14 Wetlands Nuestra Senora 79902.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. El Paso, Texas has no designated wild and scenic rivers on the National Rivers Inventory. See Attachment 15.

Supporting documentation

[Attachment 15 Wild River.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes

No

Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No